

## CABINET

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### MINUTES OF THE CABINET MEETING HELD ON 12 JUNE 2018 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

#### Present:

Cllr John Thomson (Vice-Chairman), Cllr Pauline Church, Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

#### Also Present:

Cllr Ben Anderson, Cllr Ian Blair-Pilling, Cllr Matthew Dean, Cllr Mary Douglas, Cllr Darren Henry, Cllr Alan Hill, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Brian Mathew, Cllr Jonathon Seed, Cllr Ian Thorn, Cllr Philip Whalley and Cllr Robert Yuill

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#### 236 Apologies

Apologies were received from Baroness Scott

#### 237 Minutes of the previous meeting

The minutes of the meeting held on 15 May 2018 were presented.

#### Resolved

**To approve as a correct record and sign the minutes of the meeting held on 15 May 2018**

#### 238 Declarations of Interest

There were no declarations of interest.

#### 239 Leader's announcements

The Deputy Leader made the following announcements:

##### **Royal Visit to Salisbury**

The Deputy Leader stated that he was delighted to be holding our cabinet meeting in Salisbury today, as this marked 100 days since the incident on 4 March.

Noting that the recovery work that is well underway had involved major resource and effort from both local and national agencies, he stated that the clean-up process was well under way, with sites being handed back and returning to normal use, including The Maltings reopening which was key milestone in the recovery process.

As well as the support to almost forty businesses, the council had supported the OVO Energy Cycle Race to help boost the local economy and showcase Salisbury nationally and internationally through extensive positive media coverage.

The Deputy Leader also welcomed the announcement that their Royal Highnesses The Prince of Wales and The Duchess of Cornwall would be visiting the city on Friday, 22 June to support the recovery programme.

### **Health and Social Care Integration**

At the invitation of the Deputy Leader, Councillor Jerry Wickham stated that the 70th anniversary of the NHS is being widely publicised and will include the publication of a Government green paper in July to coincide with this anniversary with a likely focus on collaborative working to integrate health and social care services will continue.

It was also anticipated that the green paper would provide clarity on the future direction for NHS commissioning; particularly commissioning by CCGs of health services. On the basis of the anticipated change, Wiltshire Council and CCG had discussed and agreed that it would be sensible to reconsider the appointment of a joint accountable officer.

He also stated that the integrate health and care services remains a priority for the council, expressed disappointment that the council and CCG cannot proceed, as planned, with a senior joint accountable officer post. He confirmed, however, that the council would continue to look at an alternative joint post with Wiltshire CCG so that they could build on what had already achieved in integrating services for the benefit of Wiltshire residents.

### **Urgent Item**

In accordance with the Special Urgency provision as set out in the Constitution, and with the consent of the Chairman of Council, I agree to take the item regarding Southview Park Council House Building for the following reason:

*That contractors are currently onsite and are close to completing phase one. Allowing them to ramp down and leave site will create a serious time and cost risk to the development of phase two. By taking the decision today we mitigate against the risk of that increase cost and potential delay.*

## 240 **Public participation and Questions from Councillors**

Colin Gale made a statement, appended to these minutes, regarding the Everleigh Recycling Centre on behalf of Pewsey Community Area Partnership (PCAP), Campaign to Protect Rural England (CPRE) and Pewsey Parish Council (PPC),

The Deputy Leader stated that he would ask for any outstanding response to issues raised by given, and that would ask the Monitoring Officer to arrange a response to the issue of the legality of the consultation.

## 241 **Draft Statement of Accounts and Revenue Outturn 2017/2018**

Councillor Philip Whitehead presented the report which advised Cabinet of the (unaudited) General Revenue Fund and Housing Revenue Account outturn positions for financial year 2017/18, as well as the position for the Collection Fund and Reserves; and provided Cabinet with oversight of the unaudited Statement of Accounts, including the narrative report.

Matters highlighted in the course of the presentation and discussion included: that the council had ended the year with a budget surplus which would transfer to reserves; that there was an underspend of under £1m on Housing Revenue Account; that the £144m capital programme was underspent by £30m; the highlighted major changes to the budgets and the reasons for those including changes in income and spending assumptions.

Cllr Ian Thorn, Chairman Financial Planning Task Group thanked Ian Duncan and Councillor Whitehead for meeting with the task group and stated that he was encouraged that the Council had ended the year with an underspend, and agreed that the underspend on capital funding should be addressed.

### **Resolved**

#### **To note:**

- a) **the outturn for the General Revenue Fund and HRA, subject to external audit, of a General Fund underspend of £0.410 million and an HRA underspend of £0.951 million and planned draw from reserve of £6.762 million. This gives an overall draw from HRA reserves of £5.811 million.**
- b) **the transfers to the General Revenue Fund and Earmarked reserves, as set out in Sections 38-43 of the report, and return to HRA reserves.**
- c) **the unaudited Statement of Accounts for 2017/18.**

#### **To approve:**

**d) The position of the 2017/18 capital programme at Outturn (31 March 2018) including highlighted budget changes.**

*Reason for Decision:*

*As part of its role in ensuring sound financial management and financial soundness, Cabinet are required to assess and note the final revenue outturns for 2017/18 and assess any impact on the longer term financial standing of the Council.*

**242 Annual Reports on Treasury Management 2017/2018**

Councillor Philip Whitehead presented the report which provided the annual review following the end of the year describing the activity compared to the treasury strategy.

Matters highlighted in the course of the presentation and discussion included: how the borrowing and investments were managed over the course of the year; the changes proposed to the strategy which would require the agreement of Full Council; the revenue benefits arising from investment decisions; that the council will prioritise using its own cash for investment rather than requiring borrowing; how risks will be identified for future individual investment decisions; and that the council would normally look to invest over the longest appropriate period.

**Resolved**

- a) To note that the contents of this report are in line with the Treasury Management Strategy 2017/18.**

**Recommend to Full Council**

- b) To approve an amendment to the Treasury Management Strategy 2018/19, to include a new class of alternative investments to the available list of non-specified investments (as outlined in report).**
- c) To approve an amendment to the Minimum Revenue Provision Policy 2017/18, to allow for an alternative method of calculation, where appropriate (as outlined in report).**

*Reason for Decision*

*To give members an opportunity to consider the performance of the Council against the parameters set out in the approved Treasury Management Strategy for 2017/18.*

*To agree to a revision to the Treasury Management Strategy 2018/19 and the Minimum Revenue Provision Policy 2017/18 in order to continue to comply with statutory guidance and reflect best practice.*

## 243 **Delivery of the Digital Strategy - Outline Business Case**

Councillor Philip Whitehead presented the report which: informed Cabinet of the Microsoft Cloud Navigator Programme and its Outcome; sought approval to delegate the Council to award a call-off contract from the G-Cloud 9 Framework subject to the positive review of the full business case; and requested that Cabinet delegate the decision to enter into the contractual agreement and approve capital expenditure to the Corporate Director for Communities, Resources and Digital after consultation with the Cabinet Member for Finance, Procurement, ICT. In making his presentation, Councillor Whitehead commended the hard work of the team to bring the proposals together.

Matters highlighted in the course of the presentation and discussion included: the proposals were part of the first stage in the delivery of the wider digital strategy; that the savings that have been identified but more information would be required to allow the delegated decision to be taken; the scope and impact of the proposals; the opportunities to expand on app based services, the development of the website and the opportunities for using automation; that the chair of the Chairman Digital Strategy Task Group was on the digital board; how savings may be realised; the particular support for vulnerable groups including looked after children and those leaving the armed services.

Councillor Jon Hubbard, Chairman Digital Strategy Task Group, asked the Council to be mindful that the aspirations should be realistic. He also stated that he recognised that change was required.

In response to a series of questions raised by Councillor Hubbard, Councillor Whitehead stated: that some of the investment identified would have been required simply to maintain the current system; that the service agreements would be required to ensure that savings would be achieved and accountability was clear; that feedback on progress made would be received as the programme achieves different milestones were reached; that it was recognised that there was a need to get right staff recruited and that he did not want to progress the project at too quick a pace without the appropriate resource; that Microsoft had been picked as reputable partner with a good track record in delivering projects in support of the vulnerable.

In response to further questions at the meeting, Councillor Whitehead confirmed: that Microsoft had been selected following a procurement process; that business cases would be submitted for individual projects; that partners such as the Police would benefit from some of the additional security features but that further benefits from the programme would have to be discussed.

In moving his recommendation, Councillor Whitehead stated that an additional resolution should be added requesting that a presentation be made to Cabinet, at a future meeting, at least within 12 months of the commencement of the project, on the actual savings achieved in each service area and relate these back to the current forecast savings.

**Resolved**

- i) To note the progress of the Microsoft Cloud Navigator Programme.**
- ii) To agree in-principle to embark on the Cloud Navigator Programme.**
- iii) To agree to award a call-off contract from the G-Cloud 9 framework arrangements to Microsoft and Thoughtonomy.**
- iv) Based on the completion of the full business case and in line with the funding recommendations made in paragraph 54, to delegate the decision to enter into the contractual agreement and approve capital expenditure to the Corporate Director for Communities, Resources and Digital after consultation with the Cabinet Member for Finance, Procurement, ICT and Operational Assets, Corporate Director for Growth, Investment and Place, Corporate Director for Children and Education and the Director of Finance and Procurement.**
- v) To agree that the Corporate Director for Communities, Resources and Digital is nominated as the Contracting Council's Representative for the purposes of the Contract.**
- vi) That a presentation be made to Cabinet, at a future meeting, at least within 12 months of the commencement of the project, on the actual savings achieved in each service area and relate these back to the current forecast savings.**

*Reason for Decision:*

*The Council's digital strategy must be delivered and the associated improvement to customer digital service access and savings made. The Microsoft Cloud Navigator proposal provides an integrated solution to deliver a series of initiatives delivered as a coherent programme. This will provide both the digital tools and skills to ensure Wiltshire Council continues to utilise digital technology to save money, provide an improved service to our customers and meet their digital expectations of our customers, staff and partners as per the council's vision for the future.*

## **244 Outdoor Education Update**

Councillor Philip Whitehead presented the report which asked Cabinet to consider the next steps for outdoor education centres following the receipt of expressions of interest in the sites operation.

Mr John Hawkins, Chairman Outdoor Education Task Group, stated that he was pleased to note the Council motion and the support to find a solution.

In response to questions raised by Mr Hawkins, Councillor Whitehead stated that press releases had been published to encourage the centre's usage; that

the updated condition survey could be considered as part of the preplanning process

In response to questions raised by Councillor Hubbard, Councillor Whitehead that he recognised the need to consider social value as part of the legal requirements to meet best value; that he did not agree that a further extension of the period when the Council was running them.

In response to questions raised by Councillor Thorn, Councillor Whitehead that it was important to establish the open market value of properties to enable the council to assess properly how best value can be achieved.

### **Resolved**

- i. To commence a market testing process to consider options for the future operation of the outdoor education sites;**
- ii. To delegate to the Director for Children's Services, in consultation with the Cabinet Members for Children's Services and Finance, the delivery of the market testing process;**
- iii. To extend the operation of both Braeside and Oxenwood outdoor education sites until 31 December 2018.**
- iv. To extend the period of consultation with outdoor education staff in line with the Councils HR Policies.**

Reason for Decision:

- 1) Following the Council's review of the two outdoor education sites, Braeside and Oxenwood and the Cabinet's decision to close both sites, interested parties have come forward with a variety of proposals for the continuation of outdoor education in Wiltshire.*
- 2) This report considers these expressions of interest and how best to progress the review of outdoor education. This provides new information for Cabinet to consider.*

### **245 Approval to Dispose of the Freehold Interest**

Councillor Philip Whitehead presented the report which asked Cabinet to consider the next steps for outdoor education centres following the receipt of expressions of interest in the sites operation.

Mr John Hawkins, Chairman Outdoor Education Task Group, stated that he was pleased to note the Council motion and the support to find a solution.

In response to questions raised by Mr Hawkins, Councillor Whitehead stated that press releases had been published to encourage the centre's usage; that

the updated condition survey could be considered as part of the preplanning process

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In response to questions raised by Councillor Thorn, Councillor Whitehead that it was important to establish the open market value of properties to enable the council to assess properly how best value can be achieved.

### **Resolved**

- i. To commence a market testing process to consider options for the future operation of the outdoor education sites;**
- ii. To delegate to the Director for Children's Services, in consultation with the Cabinet Members for Children's Services and Finance, the delivery of the market testing process;**
- iii. To extend the operation of both Braeside and Oxenwood outdoor education sites until 31 December 2018.**
- iv. To extend the period of consultation with outdoor education staff in line with the Councils HR Policies.**

Reason for Decision:

- 1) Following the Council's review of the two outdoor education sites, Braeside and Oxenwood and the Cabinet's decision to close both sites, interested parties have come forward with a variety of proposals for the continuation of outdoor education in Wiltshire.*
- 2) This report considers these expressions of interest and how best to progress the review of outdoor education. This provides new information for Cabinet to consider.*

### **246 Future of Wiltshire Council's Freehold Assets in Rudloe**

Councillor Toby Sturgis presented the report which outlined the options to Cabinet so that they might make a decision on whether to declare the freehold interest of the Council's land holding in Rudloe for disposal either selectively or as a whole, and to confirm a preferred option for disposal. In moving his recommendations, Councillor Sturgis suggested that resolution two be amended to specify that the community's requirements be considered.

Representations were received from the following at the meeting:



Councillor Ben Anderson, the local division member, stated that he was aware of the concerns of those in the area, and hoped that development in the area would address some of these concerns sensitively, with particular reference to parking, community space and parks/green spaces.

Councillor Brian Matthew, from a neighbouring local division, asked that the potential community benefit arising from commercial development be considered.

Phil Bowley, from GreenSquare, expressed his organisations desire to work with community groups to see how best their requirements can be met by the development.

Paul Turner expressed concern that the development would not meet the needs of the community and stressed the importance of community facilities.

Francis Tristam, owner of the Camomile Café, outlined her alternative proposals for site.

Councillor Ruth Hopkinson, from a neighbouring local division, stated that she recognised the problems with the existing community centre building, but emphasised the need to improve facilities for the community.

Councillor Philip Whalley, from a neighbouring local division, stated that there was need for more social housing and that he hoped the needs of the community would be addressed by the development.

In response to the issues raised, and with the support expressed from colleagues in the Cabinet, Councillor Sturgis stated that he would work with GreenSquare, with whom the Council had a good working relationship, to investigate what funding was available to address the community's needs.

## **Resolved**

- 1. To declare the Council's freehold land and property holding in Rudloe (See Annex 1 – Plan) as surplus and for disposal either in its entirety or selectively. If a disposal of part only of the site transpires as the outcome, elements of the site would remain in Council ownership.**
- 2. To support the recommendation on the preferred option to engage in negotiations with GreenSquare, to include consideration of community requirements, with a view to a transfer to GreenSquare of the Council's freehold interest required for their regeneration scheme within an agreed timescale, potentially at an under-value and on terms to be agreed.**
- 3. To confirm disposal of part or the whole of the Council's freehold land and property in Rudloe on the open market if negotiations are unsuccessful with GreenSquare.**

Reason for Decision:

*To confirm the freehold interests of the Council's assets in Rudloe can be sold, with the primary aim to increase affordable housing provision in Rudloe through partnership working with GreenSquare to enable their proposed regeneration scheme.*

#### 247 **Urgent Items**

Councillor Richard Clewer presented the item which sought approval to build 22 new council homes across two parcels of land at Southview Park, Trowbridge with capital funding and land set aside for the delivery of affordable housing.

#### **Resolved**

- a) To use the land in Appendix 1 for affordable housing**
- b) To carry out any appropriations necessary pursuant to s122 LGA 1972 to ensure that the sites in a) are held by the Council for housing purposes**
- c) To use a total budget of £4m with delegated authority to substitute and change funding streams to optimise financing. Funding streams may be increased or decreased as required providing that they stay within available allocation and do not affect the total budget position.**
- d) To enter into contracts for consultants, construction and other elements of the project to enable the delivery of 22 new homes within the total scheme costs identified in Appendix 1 in accordance with the Corporate Procurement & Commissioning Board approach.**
- e) To enter into funding agreements with Homes England as required to secure any grant funding allocated.**

*Reason for Decision*

*The Council has capital funding set aside within the Council's capital budget for investment in affordable housing. The Council also has land at Southview Park, Trowbridge that was transferred to the Council for the delivery of new affordable homes. This creates an opportunity to use the available funding to deliver 22 new affordable council owned and managed homes in Trowbridge to meet identified housing needs.*

#### 248 **Exclusion of the Press and Public**

The Cabinet resolved not to exclude the press and public as there was not a need to discuss the information contained in the following appendix exempt from publication.

**249 Future of Wiltshire Council's Freehold Assets in Rudloe (Part II)**

The meeting noted the information contained in the exempt report when making their decision.

(Duration of meeting: 9.30 - 11.58 am)

These decisions were published on the 15 June 2018 and will come into force on 25 June 2018.

The Officer who has produced these minutes is Will Oulton of Democratic Services, direct line 01225 713935, e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)

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**Wiltshire Council**

**Cabinet**

**12 June 2018**

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**Colin Gale**

**To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste**

**Pewsey Community Area Partnership (PCAP), Campaign to Protect Rural England (CPRE) and Pewsey Parish Council (PPC) Statement to Wiltshire Council Cabinet, 12 June 2018, on the status of Everleigh HRC**

- PCAP submitted questions on Everleigh Household Recycling Centre to the Pewsey Area Board on 5<sup>th</sup> March 2018. The Director for Waste did not answer the questions as part of her presentation at the Area Board and has still not provided a formal response to the questions which were submitted prior to the meeting.
- PCAP/CPRE/PPC submitted further questions to the WC Cabinet meeting held on 27<sup>th</sup> March. It was agreed by Cabinet at the direction of Baroness Scott that the continuous to-ing and fro-ing was not progressing the situation and not satisfying either parties. It was agreed that a meeting would be held with the Cabinet Member to resolve the status. Questions would be submitted prior to this meeting to aid the discussions. The area WC Councillors requested that they also attend.
- The meeting with PCAP and CPRE was held on 2<sup>nd</sup> May. A history of events covering the period since September 2015 was provided in advance along with a set of questions. This information was also provided to all the area WC Councillors. The questions and draft responses were discussed. The following is a snapshot of some of the status advised:
  - The drainage system that was installed at Everleigh in 1996 was not installed in accordance with the original design.
  - There has been no maintenance carried out at Everleigh since 1996 and as a consequence the shortfall in drainage was not discovered until the recent surveys were conducted as part of the changeover of contractors in 2017.
  - The original Environmental Agency permit covered a much reduced set of recyclable items. As a consequence the installed drainage system would have been adequate. The level of recycling has grown which at the time of contract transfer has highlighted the potential risk and has

resulted in a reduced range of recycling being made available at the Everleigh HRC.

- The original contract with Hills was written at a much higher level than contracts now issued by WC. However, under the Hills contract there may be some liability for Hills to pay for some of the recovery of the site but the majority of the liability would fall to WC.
- PCAP/CPRE/PPC have still not received a formal response to the questions submitted for this meeting.
- The area WC Councillors held a separate meeting with the Cabinet Member on 10<sup>th</sup> May. No feedback on this meeting has been provided, however, at the Pewsey Area Board on 21<sup>st</sup> May the Councillors in response to a similar statement being made did confirm the meeting did take place but stated that they were unable to provide details of the meeting due to confidentiality.
- PCAP/CPRE/PPC have, and will continue to provide full support to try and progress the Everleigh issue but at present the action is firmly with Wiltshire Council to provide formal responses to the questions raised.

Since the submission of this statement responses have been received on 7<sup>th</sup> June which the organisations are reviewing. A further meeting has been offered by the Director of Waste to discuss the responses. It is probable that further discussion will be requested.

Yesterday we were also notified that a consultation on the proposed closure of Everleigh HRC had been posted on the WC website. This was surprising when discussions were still ongoing on the status and issues over Everleigh. I have reviewed the consultation document and support document and my initial belief is the consultation as presented is unlawful based on the criteria laid down by the Supreme Court. I believe a number of the 6 criteria stipulated by the Supreme Court have been breached. We will advise accordingly in due course.